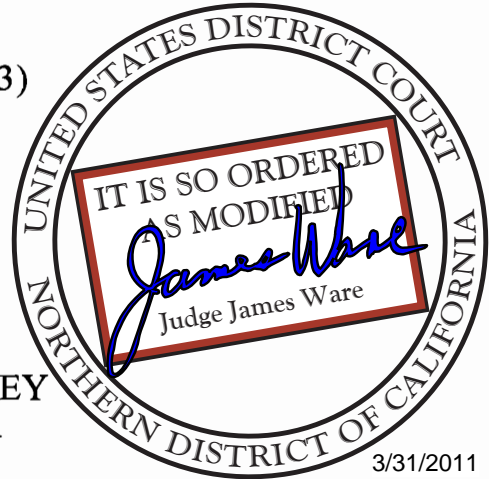


STEPHENSON, ACQUISTO & COLMAN  
JOY Y. STEPHENSON, ESQ. (SBN 113755)  
BARRY SULLIVAN, ESQ. (SBN 136571)  
RICHARD A. LOVICH, ESQ. (SBN 113472)  
KARLENE ROGERS-ABERMAN (SBN 237883)  
303 N. Glenoaks Blvd., Suite 700  
Burbank, CA 91502

Telephone: (818) 559-4477  
Facsimile: (818) 559-5484

Attorneys for Plaintiff,  
COMMUNITY HOSPITAL OF THE MONTEREY  
PENINSULA, a California nonprofit corporation



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

COMMUNITY HOSPITAL OF THE  
MONTEREY PENINSULA, a California  
nonprofit corporation,

Plaintiff,

vs.

DAVE KINGSTON PRODUCE, INC.,  
an Idaho Corporation; and GLOBAL  
EXCEL MANAGEMENT, INC.; A  
Canadian corporation, and DOES 1-25,  
inclusive,

Defendants.

Case No.: CV 10-2041 JW

[PROPOSED] ORDER RE  
STIPULATION TO ALLOW  
PLAINTIFF TO FILE A FIRST  
AMENDED COMPLAINT

~~PROPOSED~~ ORDER

Having read the foregoing Stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED:

1. Community Hospital of the Monterey Peninsula ("Community Hospital") shall file and serve (by mail) its First Amended Complaint within five (5) business days after the Court approves the [Proposed] Order lodged concurrently with the parties' Stipulation, and hereby grants leave to Community Hospital to file said First Amended Complaint;

2. Counsel for Defendants Dave Kingston Produce, Inc. and Global Excel Management, Inc. (collectively, "Defendants") shall accept service on behalf of Defendants; and

3. Defendants shall each file and serve an answer or otherwise respond to the First Amended Complaint within thirty (30) days from the date of service of the First Amended Complaint;

On or before April 4, 2011, Plaintiff shall file its Amended Complaint as a separate docket entry.

DATED: March 31, 2011

  
HON. JAMES WARE  
UNITED STATES DISTRICT CHIEF JUDGE